

Judge Nina Gershon

Criminal Cause for a Conference

January 28, 2014

USA v. Dunn et al 11-cr-00683-NG RML

Court reporter: Allan Sherman Case Manger: Vic Joe

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| vs. | |
| Lee Hymowitz | Maurice H. Sercarz & Robert Caliendo 152 West 57th Street, 24th Floor, New York, NY 10019 212-586-4900 Fax: 212-586-1234 Email: msercarz@sercarzandriopelle.com |
| Michael Freeman | Gerald J. DiChiara 3 Park Avenue, 15th Floor, New York, NY 10016 212-679-1958 Fax: 212-689-3315 Email: jdichiarag@aol.com |

NOTES:

Case called. Defendants Lee Hymowitz and Michael Freeman present with their counsel. Both defendants were arraigned on the superseding indictment, and pleaded not guilty to the charges. The court directed the government to contact Robert Evans, Esq. to schedule the arraignment of his client, Stevenson Dunn, before a Magistrate Judge no later than Tuesday, February 4, 2014.

Conference held. Both of the government's trial subpoenas are now resolved. Regarding the subpoena directed to Douglas Palmer, the Clerk of Court for the Eastern District of New York, the government is satisfied with the statements made on the record.

The defendants, having been arraigned on the superseding indictment, had requested an opportunity to file motion papers. The following is the agreed upon briefing schedule:

All motions shall be filed and served no later than February 7, 2014.
 The government shall file and serve its response no later than February 18, 2014.
 Any replies shall be filed and served no later than February 25, 2014.

The defendants shall advise the court by February 7, 2014, if they are not intending to filing any motions.

In accordance with the discussion on the record, the defendants will resubmit to the court the subpoenas seeking production of materials in advance of the trial date.